

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BRINK'S GLOBAL SERVICES USA, INC.,)
Plaintiff,) Case No.: 1:22-cv-06653-PGG
v.)
BONITA PEARL INC., *et al.*,)
Defendants.)

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Statement of Facts, along with its accompanying declarations and exhibits Plaintiff Brink's Global Services USA, Inc. hereby moves this Court, before Honorable Paul G. Gardephe, United States District Court, Southern District of New York, for an order granting summary judgment to Brink's and:

- A. Declare that Brink's duties to each Defendant are governed by the plain language of the Contract including all loss calculations;
- B. Declare that under no circumstances will Brink's Liability for loss of or damage to Defendants' Property exceed the lesser of the Declared Value or the actual monetary value of the Defendants' Property as of the date of loss;
- C. Declare that those Defendants who failed to comply with the notification provisions of the Contract have waived their claims;
- D. Declare that Brink's has no liability for special, incidental, consequential, indirect or punitive losses or damages including but not limited to loss of profits (whether

direct or indirect), loss of market, loss of business, loss of goodwill, lost sales or other indirect or consequential losses, interest, or attorney fees; and,

E. Grant all other relief this Court deems just and proper.

Dated: March 21, 2024

BRINK'S GLOBAL SERVICES USA, INC.

By counsel:

/s/ Robert F. Redmond

Robert F. Redmond (*admitted pro hac vice*)

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